

PROCEEDINGS OF THE HISTORIC CONSERVATION BOARD

MONDAY, MARCH 13, 2006

3:00 P.M., J. MARTIN GRIESEL ROOM, CENTENNIAL PLAZA II

The Historic Conservation Board met at 3:00 P.M., in the J. Martin Griesel Room, Centennial Plaza II, with members Kreider, Senhauser, Spraul-Schmidt, Sullebarger, Wallace and Kirk present. Absent: Chatterjee, Bloomfield and Raser.

MINUTES

The Historic Conservation Board (Board) unanimously approved the minutes of February 13, 2006 meeting, (motion by Spraul-Schmidt, second by Sullebarger) with corrections.

CERTIFICATE OF APPROPRIATENESS, 4007 HAMILTON AVENUE, NORTHSIDE NBD HISTORIC DISTRICT

Staff member Adrienne Cowden presented a report on this two-story commercial building. Historic Conservation Office files indicate that the existing building was constructed in the 1930s and was remodeled in 1982 and again in 1992. Based on its substantial deterioration and partial loss of the front façade, staff believes the structure is no longer a contributing building in the district. The project will include the construction of a new main façade in Art Deco style. The owner Kathy Fletcher and project architect Scot Rogers were present to answer questions from the Board.

BOARD ACTION

The Board voted unanimously (motion by Sullebarger, second Wallace) to approve a Certificate of Appropriateness for the proposed new façade for 4007 Hamilton Avenue on the condition that final drawings and specifications be submitted to the Urban Conservator for review and approval prior to construction.

CERTIFICATE OF APPROPRIATENESS AND ZONING VARIANCE, 1311 SPRING STREET, OVER-THE-RHINE HISTORIC DISTRICT

Ms. Cowden presented the staff report for the property at 1311 Spring Street, a two and one-half story brick residence located in Pendleton, a contributing building in the Over-the-Rhine Historic District. Denny Dellinger, the project architect, has applied for a Certificate of Appropriateness and the necessary Zoning Variances to construct a new detached garage, fencing and walls on the property. This item was tabled at the Board's February 13, 2006 meeting pending submission of additional information on the site and revision of the garage design.

The roofline of the garage has been modified and window reveals added to the first floor of the street (East) façade. Staff feels that the revised garage design reflects the Board's earlier comments and meets the conservation guidelines for new construction. Staff recommends that zoning variances be granted for the height of the garage and its location in the side yard.

With regard to the fencing and wall, the guidelines indicate that fences should be in character with the district's contributing buildings and compatible with the property and district in terms of color, texture, material and scale. The proposed 8-foot brick wall, visible from E. 13th Street as well as Spring Street, creates a compound that is not characteristic of the district. Ms. Cowden stated that given the topography of the site, staff believes that a 6-foot high brick wall would provide adequate security for the site and the applicant has not provided sufficient justification to substantiate granting the requested height variance in the interest of historic conservation.

Mr. Dellinger and owner John Zinn testified that both the 8-foot wall in the rear yard and the solid 6-foot fence and gate proposed for the front are essential to secure the property from adjoining properties and provide privacy from the street. He said his neighbors and City police agree. Mr. Zinn asserted that such a wall would have prevented a recent theft and trespass from the children's garden nearby. Mr. Dellinger showed photos and cited examples of other fences in the neighborhood. Ms. Sullebarger observed that later in this meeting, the Board would be considering an application for 6-foot tall security fencing at multiple sites in Over-the-Rhine.

Ms. Wallace stated that building higher walls was not a long-term solution and that there are better ways to address security issues. Mr. Kreider stated that he was not convinced an 8-foot fence or wall was in the interest of historic conservation and indicated he felt the applicant had failed to justify granting a variance to the Zoning Code. He said he could support a Certificate of Appropriateness for a 6-foot brick wall. Mr. Kreider also suggested that a metal picket fence set between brick piers was more appropriate than the solid fence proposed along Spring Street.

Mr. Forwood confirmed for Mr. Senhauser that front yard fences are limited by the zoning code to four feet in this district, but that since the new fence and gate will be behind the front corner of the residence, the Buildings and Inspections Department considers them to be in a side yard where six feet is permitted.

BOARD ACTION

The Board voted unanimously (motion by Spraul-Schmidt, second Kirk) not to accept the staff recommendation presented at the February 13, 2006 meeting.

The Board voted unanimously (motion by Kreider, second Spraul-Schmidt) to take the following action:

1. Approve a Certificate of Appropriateness for the proposed garage finding that it meets the Over-the-Rhine Historic District conservation guidelines.
2. Approve the necessary Zoning Variances for the 18'-10¼" height of the proposed garage and its location in the side yard finding that such relief from the literal interpretation of the Zoning Code will not be materially detrimental to the public health, safety and welfare or injurious to property in the district or vicinity where the property is located and is necessary and appropriate in the interest of historic conservation as not to adversely affect the historic architectural or aesthetic integrity of the district.
3. Approve a Certificate of Appropriateness for a 6'-0" brick wall around the rear yard along the West and South property lines and a 6'-0" metal picket fence and gates along Spring Street.
4. Deny the requested Zoning Variances for 8-foot height of the proposed brick wall on the West and South (rear) property lines finding that the applicant has not sufficiently demonstrated special circumstances or conditions pertaining to the property that justify granting a variance for the additional height above that allowable under the zoning code, nor is it in the interest of historic conservation to do so.
5. Final construction drawings and materials/product selections shall be submitted to the Urban Conservator for review and approval prior to construction.

CERTIFICATE OF APPROPRIATENESS AND ZONING VARIANCES, 1125 BANK STREET, DAYTON STREET HISTORIC DISTRICT

Staff member Adrienne Cowden presented a staff report for a Certificate of Appropriateness and Zoning Variances for 1125 Bank Street to install new signage on the property.

Ms. Cowden said that the Board considered signage and fencing for the property at its meeting on December 19, 2005. The Board approved the fence but tabled the signage on request of the applicant. The Board indicated that it was open to signs on all three elevations if they were compatible with the building and helped to organize and animate the structure.

The plans have been revised to include a total of eight signs. The large wall sign previously proposed for the East wall has been replaced with a smaller sign of aluminum letters mounted on the new fence. The six brick fence piers are capped with St. Paul logo, each constituting an individual sign. The building sign facing Bank Street remains, but is now fabricated in PVC. The large painted sign on the west wall has been redesigned in PVC and now incorporates a phone number and web address.

Ms. Cowden said that staff believes the proposed work represents a less compatible and less sympathetic design scheme than was presented in December 2005. Likewise, staff found that the previous painted signs were more compatible with the building and district than the synthetics now proposed.

Raymond Mack, GBBN, and Gerry Beluan, Insignia Signage & Displays, were present to answer questions from the Board.

Ms. Sullebarger stated that in the previous proposal, the signs were more consistent in design and typography. Mr. Beluan responded that the letters mounted on the fence sign were necessarily heavier in order to be properly secured. He explained that the lower mounting height was more readable given the street trees along Bank.

Mr. Senhauser stated that the graphic impact of the West elevation sign (facing I-75) has been reduced by the addition of the web address and the telephone number. He said that he believed that the logo portion was appropriate as a building identification sign, but that the text as an advertisement was not and may not warrant the required zoning variance. Mr. Senhauser agreed that the new synthetic logo would be easier to maintain and that from a distance would have the appearance of a painted sign.

Mr. Senhauser agreed that the new fence sign was a more effective way to identify the new entrance behind. He indicated that the Bank Street sign was redundant, cluttered the façade and was obscured by street trees. He suggested it be removed.

BOARD ACTION

The Board voted unanimously (motion by Sullebarger, second Spraul-Schmidt) to take the following action:

1. Approve a Certificate of Appropriateness for the installation of a wall sign approximately (18 square feet in area) on the metal picket fence along Bank Street and five individual logo signs (each approximately two square feet) on the piers supporting that fence, on the condition that the existing painted sign on the north wall of the building be removed.
2. Approve a Certificate of Appropriateness and necessary Zoning Variances to permit a wall sign of not more than 250 square feet to be installed approximately 37 feet above grade on the west wall of the building at 1225 Bank Street finding that such relief from the literal interpretation of the Zoning Code will not be materially detrimental to the public health, safety and welfare or injurious to property in the district or vicinity where the property is

located and is necessary and appropriate in the interest of historic conservation as not to adversely affect the historic architectural or aesthetic integrity of the district, on the condition that the telephone number and the web address be eliminated.

3. Final construction drawings and materials/product selections conforming to drawings prepared by Insignia Signage and Displays dated 02.27.06 and presented at this meeting shall be submitted to the Urban Conservator for review and approval prior to construction.

CERTIFICATE OF APPROPRIATENESS AND ZONING VARIANCES FOR MULTIPLE ADDRESSES IN THE VICINITY OF PLEASANT, RACE AND REPUBLIC STREETS BETWEEN WEST LIBERTY AND WEST 13TH STREETS, OVER-THE-RHINE HISTORIC DISTRICT

Staff member Caroline Kellam presented an application for a Certificate of Appropriateness and Zoning Variances to construct temporary chain link fences and install exterior security lighting at multiple addresses in the area generally between Washington Park and West Liberty Street from Vine, West to Elm Street.

Ms. Kellam said that 3CDC has been working with City police to undertake measures to help control street crime in this area. As a first step 3CDC has installed security lighting on eighteen properties on Wade, Elm, Odeon, Race, Republic and 15th Streets to illuminate vacant lots and problem corners. It plans to install lighting on fifteen additional properties on Elm, Pleasant, Race, Wade, Republic, and Vine Streets.

In addition, 3CDC proposes to erect 6-foot-high chain link fencing on thirteen sites on Race, Pleasant, and 15th Streets to block access and close escape routes from drug areas. Six of these properties are within a residential district which limits fences in front yards to 4'-0", so zoning variances will be required.

The applicant is requesting historic and zoning approval to implement these temporary security measures until these properties can be rehabilitated or in-filled with new construction. Staff recommends that the Board grant Certificates of Appropriateness and the necessary zoning variances for a period of three years.

Dan MacDonald, 3CDC, was present to answer questions from the Board. Ms. Wallace expressed concern that the security lighting not impact existing residents. Mr. MacDonald responded that in most cases the buildings surrounding the areas are vacant. He said he has been working with the Department of Transportation and Engineering to ensure that the illumination of the public way will not disturb occupied residences or vehicle traffic.

Ms. Sullebarger asked if there would be a schedule for the rehabilitation or new construction on these sites. Mr. MacDonald responded that these were intended as temporary measures pending development of the sites however he could give no specific timeline for their removal. Mr. Kreider reminded that any future development would be subject to Board approval and that such temporary measures would not likely be approved as permanent. The Board suggested that 3CDC advise future owners of this restriction.

BOARD ACTION

The majority of Board voted (motion by Sullebarger, second Spraul-Schmidt) to take the following actions:

1. Find that although the proposed temporary fencing and lighting does not meet the letter of the OTR Historic District guidelines, the issue of security and law enforcement in the area warrant special consideration and relief from the strict application of the guidelines.

2. Approve a Certificate of Appropriateness for the construction of temporary fences and flood lighting for those properties listed in the staff report and its addendum for a period not to exceed three years from the date of this approval.
3. Grant the zoning variances for a period not to exceed three years from the date of this approval for six-foot high fences to be installed in the front yards as per Section §1421-33 Fences and Walls of the Cincinnati Zoning Code for the properties listed below:
 - a. 1321-1327 Republic Street
 - b. 1413 Race Street
 - c. 1501-1519 Race Street
 - d. 106-116 W. 15th Street
 - e. 1510-1520 Pleasant Street
 - f. 1420-1422 Republic Street

Finding that such relief from the literal implication of the Zoning Code will not be materially detrimental to the public health, safety and welfare or injurious to property in the district or vicinity where the property is located and is necessary and appropriate in the interest of historic conservation so as not to adversely affect the district's architectural or aesthetic integrity.

OTHER BUSINESS

Urban Conservator William Forwood indicated that Jeff Woodward owner of 1955 Madison Road has asked that the Board reconsider his application for a Certificate of Appropriateness to install a 4-foot high fence in the front yard of his property in the East Walnut Hills Historic District. In May 2004, the Board approved a 3-foot fence, but denied the taller one. Mr. Forwood showed drawings of the new scheme, which proposes to shield the fence with planting. The Board agreed that the new plan is not substantially changed from the earlier submission and determined not to reconsider the issue.

Mr. Forwood also informed the Board that the City had received and is evaluating a request from property owners on Keys Crescent to vacate Collins Street (a paper street connecting Keys Crescent and William Howard Taft) and remove the existing steps thereon. Residents argue that the area has become crime-ridden and provides easy access for vandals to their homes. Mr. Forwood said that he understood East Walnut Hills Assembly supports the vacation/removal.

Mr. Forwood indicated that most of the parcel is within the East Walnut Hills Historic District; however, the steps are not mentioned in the designation report. He said that since the steps are a public way, work would not require a Certificate of Appropriateness, but the Board could advise the Department of Transportation & Engineering of its impact on the historic district.

Mr. Kreider stated that the area in question is an overgrown asphalt path fitted with a 1960's era galvanized pipe railing. He said it was not historically significant and suggested that the Board take no position on the issue. The majority of the Board members agreed.

ADJOURN

As there were no other items for consideration by the Board, the meeting adjourned.

William L. Forwood
Urban Conservator

John C. Senhauser,
Chairman

Date: _____